

The Hon. John C. Coughenour

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAJINDER PAL SINGH, aka JASPAL GILL,

Defendant.

NO. CR22-079-JCC

~~[PROPOSED]~~

**PRELIMINARY ORDER OF  
FORFEITURE**

THIS MATTER comes before the Court on the United States' Motion for a Preliminary Order of Forfeiture ("Motion") seeking to forfeit, to the United States, Defendant Rajinder Pal Singh's interest in the following property ("Subject Property"):

1. \$41,293 in U.S. currency that was seized from his residence at 10074 Dona Neely Way, Elk Grove, CA, on May 24, 2022;
2. \$3,470 in Canadian currency that was seized from his residence at 10074 Dona Neely Way, Elk Grove, CA, on May 24, 2022;
3. \$1,000 in Euros that was seized from his residence at 10074 Dona Neely Way, Elk Grove, CA, on May 24, 2022;
4. \$4,116 in U.S. currency that was seized from his residence at 2743 Fiddleback St. NE, Lacey, WA, on May 24, 2022;

5. A Secure Spend prepaid Mastercard that was seized from his residence at 2743 Fiddleback St. NE, Lacey, WA, on May 24, 2022;
6. An Uber Gift card that was seized from his residence at 2743 Fiddleback St. NE, Lacey, WA, on May 24, 2022; and
7. \$231 in U.S. currency that was seized from a white 2010 Nissan Armada, on May 24, 2022.

The Court, having reviewed the United States' Motion, as well as the other papers and pleadings filed in this matter, hereby FINDS entry of a Preliminary Order of Forfeiture is appropriate because:

- The Subject Property is forfeitable pursuant to 18 U.S.C. § 982(a)(6)(A), and 8 U.S.C. § 1324(b)(1), by way of 28 U.S.C. § 2461(c), as it constitutes or is derived from proceeds of, or facilitated, the Defendant's commission of the Conspiracy to Transport and Harbor Certain Aliens for Profit, charged in Count 1 of the Superseding Information; and,
- Pursuant to the Plea Agreement he entered on February 15, 2023, the Defendant agreed to forfeit his interest in the Subject Property pursuant to 18 U.S.C. § 982(a)(6)(A), and 8 U.S.C. § 1324(b)(1) by way of 28 U.S.C. § 2461(c). Dkt. Nos. 29, ¶ 9, 13.

NOW, THEREFORE, THE COURT ORDERS:

- 1) Pursuant to 18 U.S.C. § 982(a)(6)(A), 8 U.S.C. § 1324(b)(1), by way of 28 U.S.C. § 2461(c), and his Plea Agreement, the Defendant's interest in the Subject Property is fully and finally forfeited, in its entirety, to the United States;
- 2) Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)–(B), this Preliminary Order of Forfeiture will become final as to the Defendant at the time he is sentenced; it will be made part of the sentence; and it will be included in the judgment;

1           3)     The United States Department of Homeland Security and/or its authorized  
2 agents or representatives, shall maintain the Subject Property, in its custody and control  
3 until further order of this Court;

4           4)     Pursuant to Fed. R. Crim. P. 32.2(b)(6) and 21 U.S.C. § 853(n), the  
5 United States shall publish notice of this Preliminary Order and the United States' intent  
6 to dispose of the Subject Property as permitted by governing law. The notice shall be  
7 posted on an official government website—currently www.forfeiture.gov—for at least  
8 thirty (30) days. For any person known to have alleged an interest in the Subject  
9 Property, the United States shall also, to the extent possible, provide direct written notice  
10 to that person. The notice shall state that any person, other than the Defendant, who has  
11 or claims a legal interest in the Subject Property must file a petition with the Court within  
12 sixty (60) days of the first day of publication of the notice (which is thirty (30) days from  
13 the last day of publication), or within thirty (30) days of receipt of direct written notice,  
14 whichever is earlier. The notice shall advise all interested persons that the petition:

- 15           a.     shall be for a hearing to adjudicate the validity of the petitioner's
- 16                 alleged interest in the property;
- 17           b.     shall be signed by the petitioner under penalty of perjury; and
- 18           c.     shall set forth the nature and extent of the petitioner's right, title, or
- 19                 interest in the property, as well as any facts supporting the petitioner's
- 20                 claim and the specific relief sought.

21           5)     If no third-party petition is filed within the allowable time period, the  
22 United States shall have clear title to the Subject Property, and this Preliminary Order  
23 shall become the Final Order of Forfeiture as provided by Fed. R. Crim. P. 32.2(c)(2);

24           6)     If a third-party petition is filed, upon a showing that discovery is necessary  
25 to resolve factual issues it presents, discovery may be conducted in accordance with the  
26 Federal Rules of Civil Procedure before any hearing on the petition is held. Following  
27 adjudication of any third-party petitions, the Court will enter a Final Order of Forfeiture,

1 pursuant to Fed. R. Crim. P. 32.2(c)(2) and 21 U.S.C. § 853(n), reflecting that  
2 adjudication; and,

3 7) The Court will retain jurisdiction for the purpose of enforcing this  
4 Preliminary Order of Forfeiture, adjudicating any third-party petitions, entering a Final  
5 Order of Forfeiture, and amending the Preliminary Order or Final Order as necessary  
6 pursuant to Fed. R. Crim. P. 32.2(e).

7 8) The Court will retain jurisdiction in this case for the purpose of enforcing  
8 this Order, as necessary.

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10 IT IS SO ORDERED.

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12 DATED this 25th day of April, 2023.

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THE HON. JOHN C. COUGHENOUR  
UNITED STATES DISTRICT JUDGE

1 Presented by:

2 s/ Krista K. Bush

3 KRISTA K. BUSH

4 Assistant United States Attorney

5 United States Attorney's Office

6 700 Stewart Street, Suite 5220

7 Seattle, WA 98101

8 Phone: (206) 553-2242

9 Fax: (206) 553-6934

10 Krista.Bush@usdoj.gov